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## FISCAL IMPACT REPORT

SPONSOR: Beam DATE TYPED: 2/19/03 HB 477

SHORT TITLE: Class Action Suit Damage Awards SB \_\_\_\_\_

ANALYST: Maloy

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			See Narrative		

Conflicts with HB 31.

### SOURCES OF INFORMATION

Responses Received From  
Administrative Offices of the Courts

### SUMMARY

#### Synopsis of Bill

House Bill 477 expands the plaintiffs who may receive private remedies as part of a class action suit under the Unfair Practices Act. Under current law, an award of up to three times the actual damages could be granted to named plaintiffs in the class suit when the jury finds that the defendant party has willfully engaged in unfair, deceptive or unconscionable business practices.

With the change proposed in HB 477, all members of the class may now be awarded these damages.

### FISCAL IMPLICATIONS

There is no direct fiscal impact on the state as a result of HB 477. However, there may be an increase in the number of appeals of, and challenges to, a damage award due to the increased potential for larger awards. Appeals are costly for the courts.

**SJM/sb/njw**